

Chapter No. 2064  
18/HR31/R2199  
AM / JAB

***HOUSE  
CONCURRENT RESOLUTION  
No. 91***

Originated in House



Clerk

HOUSE CONCURRENT RESOLUTION NO. 91

A CONCURRENT RESOLUTION STATING THE LEGISLATURE'S OPPOSITION TO THE ENACTMENT OR ENFORCEMENT OF A LAW THAT MEETS THE REQUIREMENT OF 23 USCS SECTION 159, WHICH REQUIRES THAT THE DRIVER'S LICENSES OF PERSONS CONVICTED OF DRUG OFFENSES BE REVOKED OR SUSPENDED FOR A PERIOD OF SIX MONTHS, REGARDLESS OF WHETHER THE OFFENSE WAS RELATED TO THE OPERATION OF A MOTOR VEHICLE.

WHEREAS, in 1990, the Congress of the United States enacted 23 USCS Section 159, which makes the apportionment of certain federal highway funding to a state contingent upon that state's enacting a law requiring that the driver's licenses of persons convicted of drug offenses be revoked or suspended for a period of at least six months, regardless of whether the offense was related to the operation of a motor vehicle; and

WHEREAS, the revocation or suspension of a driver's license may impose significant societal and economic hardships on the citizens of Mississippi, and constitutes excessive punishment when such revocation or suspension is unrelated to the underlying criminal offense; and

WHEREAS, as a matter of public policy the Legislature of the State of Mississippi opposes the enactment or enforcement of a law that meets the requirement of 23 USCS Section 159; and

WHEREAS, 23 USCS Section 159 provides that if the Governor submits to the United States Secretary of Transportation a written certification of his or her opposition to the enactment or enforcement of state law that meets the requirements of 23 USCS Section 159 and a written certification that the Legislature has adopted a resolution expressing its opposition to such a law, then no highway funds will be withheld:

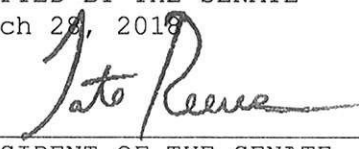
NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING THEREIN, That we do hereby state our opposition to the enactment or enforcement of any state law that conforms to the requirement of 23 USCS Section 159.

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to the Governor of the State of Mississippi so that the Governor may submit a copy of the resolution to the United States Secretary of Transportation, and to the members of the Capitol Press Corps.

ADOPTED BY THE HOUSE OF REPRESENTATIVES  
March 24, 2018

  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

ADOPTED BY THE SENATE  
March 28, 2018

  
PRESIDENT OF THE SENATE